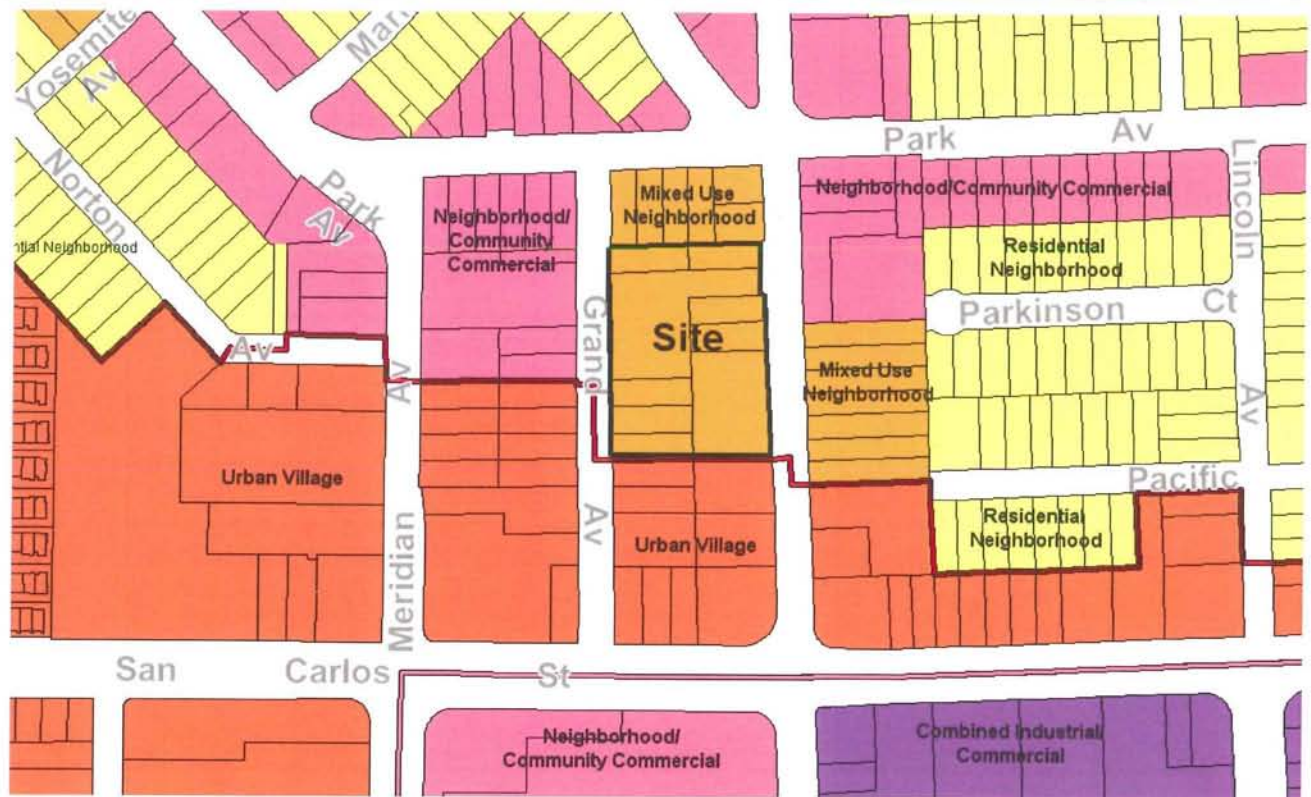
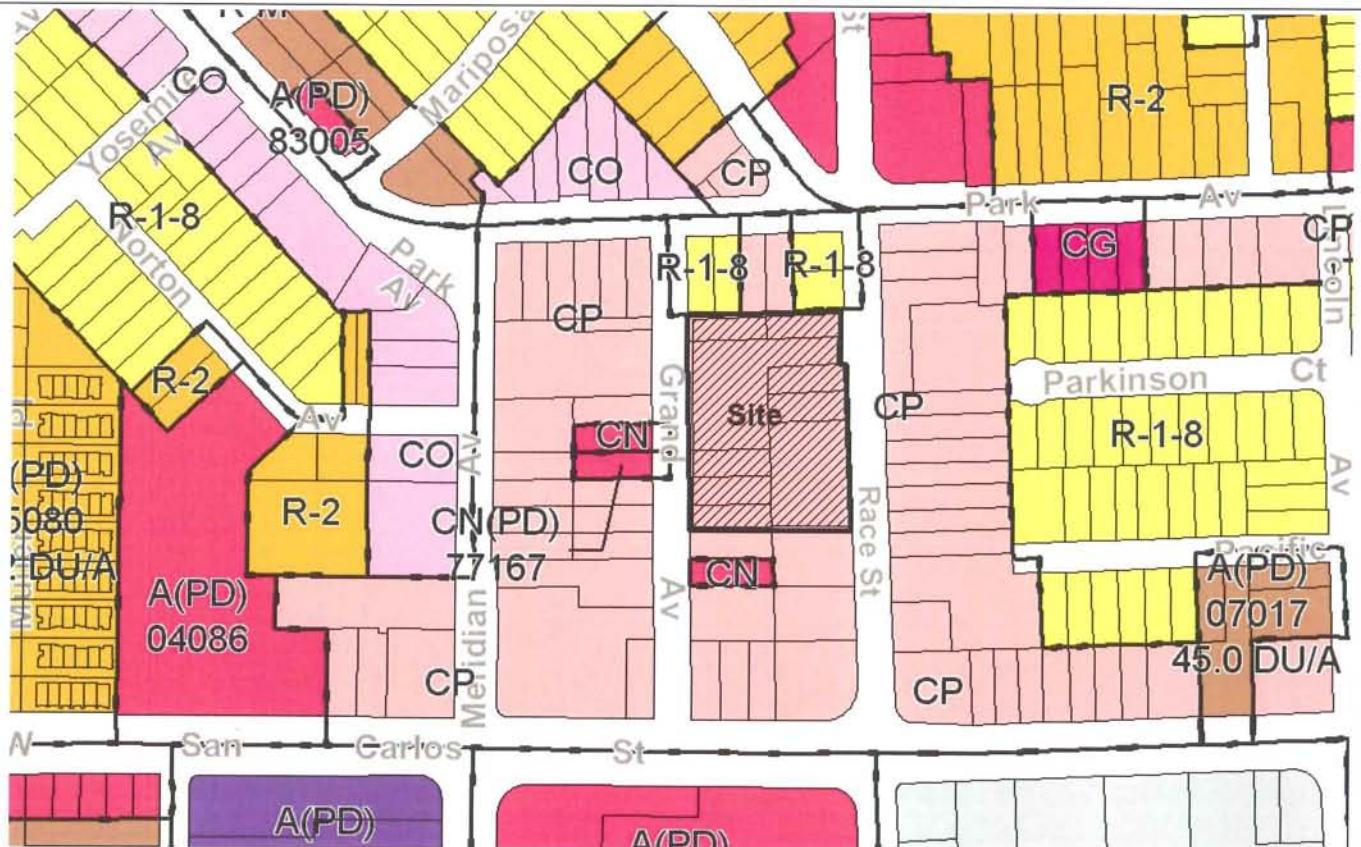




GENERAL PLAN



ZONING



RECOMMENDATION

Planning staff recommends that the Planning Commission find that the project is in conformance with the California Environmental Quality Act (CEQA) and recommend to the City Council approval of the proposed Planned Development Rezoning on the subject site for the following reasons:

1. There is no substantial evidence that the project will have a significant effect on the environment. A Mitigated Negative Declaration (MND) for the proposed project was prepared in conformance with the California Environmental Quality Act (CEQA) and circulated for public review between November 16, 2012 and December 17, 2012.
2. The proposed project is consistent with the goals and policies of the Envision San Jose 2040 General Plan, specifically:
 - a. The zoning proposes a residential density of 30 dwelling units per acre in compliance with site's the Land Use/Transportation Diagram land use designation of Mixed Use Neighborhood (up to 30 dwelling units per net acre).
 - b. *Vibrant, Attractive, and Complete Neighborhoods Policy, VN-1.7*, as the new development will enhance the public realm, provide for direct and convenient pedestrian access, and visually connect to the surrounding neighborhood.
 - c. *Residential Mixed Use, Land Use Goal LU-10 – Efficient Use of Residential and Mixed-Use Lands*, as the project will provide housing in an efficient manner by utilizing a vertical mixed use development type at the upper end of the development range allowed by the site's land use designation and the site that has good access to public transit and neighborhood services.
3. The project is consistent with the Residential Design Guidelines appropriate for mixed use development.

BACKGROUND & DESCRIPTION

On April 7, 2011, Race Street Investments, LLC applied for a Planned Development Rezoning on the subject site to allow for a mixed use development with 13,080 square feet of ground floor commercial space and up to 70 multi-family attached residential units, at a net density of 30 DU/AC. The conceptual site plan and elevations show a ground floor podium garage wrapped by commercial space and resident amenity space. The building has four stories facing Race Street and three stories facing Grand Avenue. Allowable commercial uses will be limited by the Development Standards to those permitted uses in the CP-Commercial Pedestrian Zoning District.

Site and Surrounding Uses

The subject site is currently developed with a mix of uses including: a restaurant and market (Race Street Fish & Poultry), warehouse, two-story office building, barber shop, and nine (9) single-family residences. The land uses surrounding the site include single-family detached residences, two-story apartment building and a



cleaners to the north, restaurant, salon, a single-family detached residence, and a two-story apartment building with ground floor commercial to the east across Race Street, offices and a outdoor storage yard to the west across Grand Avenue, and a restaurant, salon and single-family detached residence to the south. Additionally, Valley Transportation Authority (VTA), bus route 63 (Almaden Expressway & Camden to San Jose State University), runs along Race Street with a stop located south of the subject site just before W. San Carlos Street.

Community Engagement

A community meeting was held on November 28, 2011 on the subject site at Race Street Fish & Poultry. Those in attendance were generally very supportive of the project. There were some concerns about driveway locations and their effect on traffic movement, especially when trying to cross traffic and many wanted to ensure that the restaurant was going to stay at the site. In response to the concerns and in working with the applicant on the site plan, one of the driveways on Race Street that was located near the mid block crosswalk was removed.

ANALYSIS

The proposed rezoning was analyzed with respect to: 1) conformance with the San Jose 2040 General Plan, 2) conformance with the Residential Design Guidelines, 3) sustainability, and 4) California Environmental Quality Act (CEQA).

1. San Jose 2040 General Plan Conformance

The subject site has a General Plan land use designation of Mixed Use Neighborhood (Density: up to 30 DU/AC; FAR 0.25 to 2.0 (1 to 3.5 stories)). The Mixed Use Neighborhood designation is applied to a variety of areas including those intended for development primarily with either townhouse or small lot single-family residences, neighborhoods that were historically developed with a wide variety of housing types, and neighborhoods that have a atypical lot sizes or shapes and parcel-by-parcel development patterns.

This designation should be used to establish new neighborhoods with a cohesive urban form, to provide transition between higher-density and lower-density neighborhoods, or to facilitate new infill development within an existing area that does not have an established cohesive urban character. Because, within such mixed neighborhoods, the established overall neighborhood density and character is more intense than that found in typical single-family detached neighborhoods, it is appropriate to allow for infill development that may include live/work, residential/commercial, or small stand-alone commercial uses.

The subject site is located on a block that lacks a predominant land use and has no cohesive built form. Additionally, the southern property line of the subject site abuts the West San Carlos Urban Village. Per the General Plan, Urban Villages are planned to provide active, walkable, bicycle-friendly, transit-oriented, mixed-use urban settings for new housing and job growth. Given the lack of cohesiveness in built form and in land use on this block, the proposed mixed use commercial/multi-family residential project is consistent with



the Mixed Use Neighborhood land use designation as it will provide a use and form that will be consistent with the adjacent Urban Village designation and establish the basis of a cohesive neighborhood.

In addition to its conformance with the General Plan's land use/transportation diagram, the proposed project is also consistent with the following General Plan Goals and Policies:

- **Vibrant, Attractive, and Complete Neighborhoods Policy, VN-1.7.** Use new development within neighborhoods to enhance the public realm, provide for direct and convenient pedestrian access, and visually connect to the surrounding neighborhood.

The proposed mixed use project with a pedestrian paseo connecting two parallel streets and ground floor commercial space is consistent with this policy in that, the existing neighborhood contains a wide variety of uses, building types, and building setbacks and has no predominant land use. This project will redevelop a large portion of the block thereby establishing an urban, pedestrian oriented development and public realm.

- **Residential Mixed Use, Land Use Goal LU-10 – Efficient Use of Residential and Mixed-Use Lands.** Meet the housing needs of existing and future residents by fully and efficiently utilizing lands planned for residential and mixed-use and by maximizing housing opportunities in locations within a half mile of transit, with good access to employment areas, neighborhood services, and public facilities.

Consistent with this Goal, the proposed mixed use project will allow for the maximum of 30 DU/AC consistent with the site's Mixed Use Neighborhood land use designation. A variety of neighborhood services, including a grocery store (Safeway), are located within walking distance to the south of the subject site on West San Carlos Street. While not within a ½ of a mile, the Race Street light rail station is located to the south of the subject just over a ½ of a mile at 0.6 miles and the Diridon Station is located 1.1 miles to the northeast.

- **Community Design, Attractive City Policy, CD-1.5.** Encourage incorporation of publicly accessible spaces, such as plazas or squares, into new and existing commercial and mixed-use developments.

The proposed new mixed use project is consistent with this policy in that, the conceptual site plan depicts a pedestrian paseo or mews that the Development Standards require to be publicly accessible. This space could eventually be combined with a similar space on the properties to the south of the subject site when they redevelop.

- **Community Design, Function Policy, CD-2.1.2.** Create a comfortable and safe pedestrian environment by implementing wider sidewalks, shade structures, attractive street furniture, street trees, reduced traffic speeds, pedestrian-oriented lighting, mid-block pedestrian crossings, pedestrian-activated crossing lights, bulb-outs and curb extensions at intersections, and on-street parking that buffers pedestrians from vehicles.



The development of the project will include pedestrian improvements including new sidewalks and street trees. Race Street and Grand Avenue currently have very narrow sidewalks and no street trees.

2. Residential Design Guidelines

This zoning application proposes a vertical mixed use development with a maximum of 70 residential units and 13,080 square feet of ground floor commercial space. The project is designed consistent with the intent of the Residential Guidelines for Mixed Use Development. The proposed building consists of four-stories along Race Street in a podium structure. All parking is located in the ground floor podium. Commercial space is located at the ground level surrounding the interior at-grade parking level adjacent to Race Street and a fitness center for the residential units is located at the ground level also surrounding the interior at-grade parking level adjacent to Grand Avenue. There are two to three levels of residential units above fronting on Grand Avenue. The parking garage is accessed by a single driveway off of Race Street and two driveways off of the parallel street, Grand Avenue.

Height

Consistent with the Zoning Ordinance for the CP Commercial Pedestrian and R-M Multiple Residence Zoning Districts, the project proposes an overall maximum height of 50 feet and four (4) stories. The conceptual building elevations show most of the building mass on the four-story side of the project facing Race Street at below 44 feet with the varying roof forms between 44 and 50 feet while a three-story mass below 34 feet fronts onto Grand Avenue.

Setbacks

Mixed use buildings are typically urban in character; therefore the Guidelines recommend that setbacks from streets should reflect the urban setting and should be no greater than 15 feet. Consistent with this recommendation, the project provides a 5-foot building setback from Race Street and from Grand Avenue. This setback will also provide an option for some outdoor seating or dining area.

The project provides a 10-foot side setback to the north adjacent to the single-family detached residence, two-story apartment building and single-story cleaners and a 25 foot side setback to the south adjacent to the one-story commercial building that houses a restaurant and salon and a single-family detached residence. This larger 25 foot setback is proposed as a pedestrian paseo or mews and is intended to be added to when the properties to the south redevelop. This southern property line of the subject site abuts an Urban Village, which intends for the sites to be redeveloped with high intensity commercial, residential, institutional or other land uses with an emphasis on establishing an attractive urban form.

Site Design

The guidelines recommend for buildings to be oriented parallel to the street particularly at corners and that active connections between buildings and the street, for example residential and retail entries, porches, stairs, decks, courtyards, and windows, should be maximized. Consistent with these recommendations the proposed building has ground floor pedestrian access for the commercial space and a residential lobby on the Race Street frontage and two residential lobby entrances are located on the Grand Avenue frontage. Both the Race Street and Grand Avenue building elevations provide ample windows and residential balconies.

Additionally, the pedestrian paseo or mews located along the southern edge of the property is intended to provide a mid block connection between Race Street and Grand Avenue. This space will also provide an opportunity for any adjacent project to provide similar space thereby opening up a larger community space.

Parking

The Residential Design Guidelines indicate various parking ratios based on the number of bedrooms in each unit. These standards address variations in product types that include private garages. The project proposes residential parking ratios in conformance with these adopted standards for a total of 127 parking spaces required and provided. Additionally, the project includes 48 sets of tandem parking spaces which is a parking configuration that works best when a single unit is assigned both parking spaces. For this reason, the City has typically required that dwelling units be assigned to a tandem parking area, and the proposed Development Standards reflect this requirement.

Using the retail parking ratio from the Zoning Ordinance, the commercial space would require 19 off-street parking spaces for general retail and 50 spaces for a restaurant use with 126 seats. The project provides 70 off-street parking spaces accessible to the public for guest parking and for the ground floor commercial space parking. The off-street parking spaces provided are sufficient to serve the mixed use project that is located in an urban walkable neighborhood.

Open Space

The Guidelines recommend minimum amounts of private and common open space per unit for each product type. For the mixed use product type, the Guidelines recommend private open space at a minimum of 60 square feet per unit with a minimum dimension of 6 feet and common open space at a minimum of 100 square feet per unit.

The project provides over the recommended amount of common open space, approximately 364 square feet per unit, in the form of a community room, fitness center and the interior landscape podium deck that will provide a variety of passive and active spaces. In conformance with the Guidelines, the project provides all units with 60 square feet of private open space in the form of balconies.

3. Sustainability

This project is subject to the City of San Jose Green Building Ordinance for New Construction Private Development. A future Planned Development Permit for this project will be conditioned to be GreenPoint rated for 50 points or LEED Certified prior to issuance of a building permit. At this time, it is unknown what green building measures the project will include.

4. California Environmental Quality Act (CEQA)

An Initial Study (IS) and MND were prepared by the Director of Planning, Building, and Code Enforcement for the proposed Planned Development Rezoning. The documents were circulated for public review between November 16, 2012 and December 17, 2012.

The MND states that the proposed Planned Development Rezoning will not have a significant effect on the environment. The primary environmental issues addressed in the Initial Study include the potential impacts of the physical development of the site on: biologic resources and hazards and hazardous materials. The MND includes mitigation measures that would reduce any potentially significant project impacts to a less-than-significant level. The mitigation measures will be included in the project in the form of development standards for the Planned Development Zoning, as well as, in a Mitigation Monitoring Program. Additionally, comments were received on the MND that resulted in an addendum to the initial study specifically for transportation/traffic. No additional mitigation measures were required as a part of this addendum. The entire MND and Initial Study, including the Addendum, are available for review on the Planning web site at: <http://www.sanjoseca.gov/index.aspx?nid=2165>.

PUBLIC OUTREACH/INTEREST

In addition to the community meeting, the property owners and occupants within a 1,000-foot radius were sent public hearing notices for the Planning Commission and City Council hearings. This staff report has been posted on the City's web site. Signage has been posted at the site to inform the public about the proposed change. Staff has been available to discuss the proposal with interested members of the public.

General Correspondence

In addition, three e-mails were received from area neighbors. One stated support for the project while the other two stated a concern that this project would bring too much traffic on an already crowded street.

Project Manager: Lesley Xavier

Approved by:



Date:

4/2/2013

Owner/Applicant:	Attachments:
Owner: Race Street Investments, LLC Attn: Michael Barsanti 253 Race Street San Jose, CA 95126 Contact: Jerry Strangis 3546 Steval Place San Jose, CA 95136	Development Standards Neighbor Correspondence

<p style="text-align: center;">FILE NO. PDC11-005 RACE STREET TERRACE DEVELOPMENT STANDARDS</p>
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In any cases where the graphic plans and text may differ, this text takes precedence.

USE ALLOWANCES

- Multi-family attached residential with a density of up to 30 DU/AC (70 residential units maximum)
- Ground floor commercial uses up to 13,080 square feet (limited to areas within vertical mixed-use building only). Uses limited to those of the CP-Commercial Pedestrian Zoning District, as amended. Conditional and Special Uses as identified in the CP-Commercial Pedestrian Zoning District, as amended, may be permitted with the issuance of a Planned Development Permit.

DEVELOPMENT STANDARDS

MINIMUM SETBACKS: *(setbacks are measured from the face of building to the property line)*

- | | |
|---|---------|
| ▪ Building to property line on Race Street | 5 feet |
| ▪ Building to property line on Grand Avenue | 5 feet |
| ▪ Building to north property line | 10 feet |
| ▪ Building to south property line | 25 feet |

SETBACK EXCEPTIONS:

- Minor architectural projections such as awnings, trellis elements, eaves, bay windows, etc. may project into any setback by up to 2 feet subject to approval by the Director of Planning.

MAXIMUM BUILDING HEIGHT:

- Height: 50 feet above grade/4 stories.

HEIGHT EXCEPTIONS:

- Non-habitable architectural projections and special treatments (e.g., chimneys, weather vanes, cupolas, pediments, etc.) shall be permitted to project above the maximum height limit by 10 feet. Non-habitable mechanical and equipment rooms shall also be permitted to exceed the height limit provided that such equipment is screened from the predominant public view or architecturally integrated within the building.

PARKING REQUIREMENTS:

- Commercial: Conform to the Zoning Ordinance, as amended.
- Residential: Conform to the Zoning Ordinance, under table 20-210 (all open parking), as amended. Tandem spaces are permitted, but for units that are assigned to such spaces, the parking requirement shall be two (2) spaces per unit.

PARKING EXCEPTION:

- The overall residential and commercial parking requirement may be reduced at the discretion of the Director of Planning at the Planned Development Permit stage consistent with Zoning Ordinance Chapter 20.90.220 Reduction in Required Off-Street Parking Spaces, as amended.

BICYCLE AND MOTORCYCLE PARKING REQUIREMENTS:

- Shall be provided per Title 20, Table 20-190 and Table 20-250, as amended.

OPEN SPACE REQUIREMENTS:

- Private Open Space: 60 square feet per unit.
- Common Open Space: 100 square feet per unit.

BUILDING DESIGN STANDARDS:

- The design of building facade should be balanced, harmonious and pleasing to the eye. Large boxy, blank walls with little or no decoration are not appropriate.
- Façade variations in the form of recesses are encouraged to increase visual interest, and more than one material shall be used.
- The ground floor should be designed to the pedestrian scale through the use of vertical architectural elements, awnings, entrances, signage, windows, and displays.
- The design of the ground floor façade should be integrated into the overall building's façade design.

SPECIAL REQUIREMENTS:

- The developer shall provide a public access easement over the pedestrian paseo/mews located adjacent to the southern property line. This area shall not be fenced off and shall be open and accessible.

PUBLIC WORKS

Public Works Clearance for Building Permit(s) or Map Approval: Prior to the approval of the Tract or Parcel Map (if applicable) by the Director of Public Works, or the issuance of Building permits, whichever occurs first, the applicant will be required to have satisfied all of the following Public Works conditions. The applicant is strongly advised to apply for any necessary Public Works permits prior to applying for Building permits.

1. **Construction Agreement:** The public improvements conditioned as part of this permit require the execution of a Construction Agreement that guarantees the completion of the public improvements to the satisfaction of the Director of Public Works. This agreement includes privately engineered plans, bonds, insurance, a completion deposit, and engineering and inspection fees.
2. **Grading/Geology:**
 - a) A grading permit is required prior to the issuance of a Public Works Clearance.
 - b) If the project proposes to haul more than 10,000 cubic yards of cut/fill to or from the project site, a haul route permit is required. Prior to issuance of a grading permit, contact the Department of Transportation at (408) 535-3850 for more information concerning the requirements for obtaining this permit.
 - c) Because this project involves a land disturbance of more than one acre, the applicant is required to submit a Notice of Intent to the State Water Resources Control Board and to prepare a Storm Water Pollution Prevention Plan (SWPPP) for controlling storm water discharges associated with construction activity. Copies of these documents must be submitted to the City Project Engineer prior to issuance of a grading permit.
 - d) The Project site is within the State of California Seismic Hazard Zone. A geotechnical investigation report addressing the potential hazard of liquefaction must be submitted to, reviewed and approved by the City Geologist prior to issuance of a grading permit or Public Works Clearance. The investigation should be consistent with the guidelines published by the State of California (CGS Special Publication 117A) and the Southern California Earthquake Center (SCEC, 1999). A recommended depth of 50 feet should be explored and evaluated in the investigation.
3. **Stormwater Runoff Pollution Control Measures:** This project must comply with the City's Post-Construction Urban Runoff Management Policy (Policy 6-29) which requires implementation of Best Management Practices (BMPs) that include site design measures, source controls, and stormwater treatment controls to minimize stormwater pollutant discharges. Post-construction treatment control measures, shown on the project's Stormwater Control Plan, shall meet the numeric sizing design criteria specified in City Policy 6-29.
 - a) The project's preliminary Stormwater Control Plan need revisions and preliminary numeric sizing calculations need to be submitted. At PD stage, submit the final Stormwater Control Plan and numeric sizing calculations.

- b) Final inspection and maintenance information on the post-construction treatment control measures must be included on the final Stormwater Control Plan.
- 4. **Stormwater Peak Flow Control Measures:** The project is located in a non-Hydromodification Management area and is not required to comply with the City's Post-Construction Hydromodification Management Policy (Council Policy 8-14)
- 5. **Parks:** This residential project is subject to either the requirements of the City's Park Impact Ordinance (Chapter 14.25 of Title 14 of the San Jose Municipal Code) or the Parkland Dedication Ordinance (Chapter 19.38 of Title 19 of the San Jose Municipal Code) for the dedication of land and/or payment of fees in-lieu of dedication of land for public park and/or recreational purposes under the formula contained within in the Subject Chapter and the Associated Fees and Credit Resolutions.
- 6. **Undergrounding:** The In Lieu Undergrounding Fee shall be paid to the City for all frontage adjacent to Race Street and Grand Avenue prior to issuance of a Public Works clearance. The percentage of the base fee due will be determined prior to zoning approval. Currently, the 2011 base fee is \$409 per linear foot of frontage and is subject to change every January 31st based on the Engineering News Record's 20 City Average Cost Index. The project will be required to pay the current rate in effect at the time the Public Works Clearance is issued.
- 7. **Street Improvements:**
 - a) Construct 10' sidewalk along Race Street and Grand Avenue frontages.
 - b) Close unused driveway cut(s).
 - c) Proposed driveway width to be 26'.
 - d) Dedication and improvement of the public streets to the satisfaction of the Director of Public Works.
 - e) Repair, overlay, or reconstruction of asphalt pavement may be required. The existing pavement will be evaluated with the street improvement plans and any necessary pavement restoration will be included as part of the final street improvement plans.

ENVIRONMENTAL MITIGATION

- 1. **Biological Resources.** Impact BIO-1: The project site provides potentially suitable habitat for tree-nesting raptors and other migratory birds.
 - a. Mitigation BIO-1.1 Raptors and migratory birds: Construction should be scheduled between October and December (inclusive) to avoid the raptor nesting season. If this is not possible, pre-construction surveys for nesting raptors shall be conducted by a qualified ornithologist to identify active raptor nests that may be disturbed during project implementation. Between January and April (inclusive) pre-construction surveys shall be conducted no more than 14 days prior to the initiation of construction activities or tree relocation or removal. Between May and August (inclusive), pre-construction surveys no more than

thirty (30) days prior to the initiation of these activities. The surveying ornithologist shall inspect all trees in and immediately adjacent to the construction area for raptor nests. If an active nest is found in or close enough to the construction area to be disturbed by these activities, the ornithologist, shall, in consultation with the State of California, Department of Fish & Game (CDFG), designate a construction-free buffer zone (typically 250 feet for raptors and 100 feet for other birds) around the nest. The applicant shall submit a report to the City's Environmental Principal Planner indicating the results of the survey and any designated buffer zones to the satisfaction of the Director of Planning prior to the issuance of any grading or building permit.

2. **Hazards and Hazardous Material. Impact HAZ-1:** The project may create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
 - a. Mitigation HAZ-1.1: Prior to issuance of a Grading Permit, a Soil Management Plan shall be developed to the satisfaction of the Environmental Compliance Officer of the City's Environmental Services Department and the appropriate regulatory agencies, with a copy to the City's Environmental Principal Planner. The Soil Management Plan shall establish practices for managing and handling (buried structures, debris and/or impacted soil) if these materials/structures are encountered prior to or during demolition and/or site grading. The measures identified in the Soil Management Plan, including special handling and/or disposal measures, shall be implemented as warranted.
 - b. Mitigation HAZ-1.2: After any planned demolition activities and prior to issuance of a Grading Permit, site soils shall be tested for the presence of organochlorine pesticides. If contamination is found exceeding environmental screening levels, the appropriate regulatory agency such as the Santa Clara County Department of Environmental Health, Department of Toxic Substances Control, or the Regional Water Quality Control Board must be contacted for review and regulatory oversight. The applicant shall submit a letter to the Environmental Compliance Officer of the City's Environmental Services Department that proper investigation and mitigation measures (if needed) have been performed to ensure the property is safe for future site occupants.
 - c. Mitigation HAZ-1.3: After any planned demolition activities and prior to issuance of a Grading Permit, site soils shall be tested for the presence of petroleum hydrocarbons and other related contaminants of concern. If contamination is found exceeding environmental screening levels, the appropriate regulatory agency such as the Santa Clara County Department of Environmental Health, Department of Toxic Substances Control, or Regional Water Quality Control Board must be contacted for review and regulatory oversight. The applicant shall submit documentation to the City's Environmental Compliance Officer of the Environmental Services Department that the proper investigation and mitigation measures (if needed) have been performed to ensure the property is safe for future site occupants.

Xavier, Lesley

From: Margaret Flores [kalianaflores@gmail.com]

Sent: Saturday, November 26, 2011 12:16 PM

To: Xavier, Lesley

Subject: race street proposal

To Whom It May Concern:

I am opposed to the construction of the proposed 70 units at the current Race Street Poultry site. I feel that this is a poor use of land to an already crowded street with lots of evening traffic. I am concerned about the increase on my street ie Lincoln which is just one street over. It is also very, very sad that the family of a long time San Jose institution like this business is more interested in profits over preserving the current nature of our neighborhood with family run businesses. Thank you for considering my input. Margaret Flores 225 Lincoln Ave San Jose, CA 95126

3/28/2013

Xavier, Lesley

From: William Burch [williamdburch@live.com]
Sent: Friday, December 07, 2012 10:14 AM
To: Strangis@aol.com
Cc: Xavier, Lesley; PO@fromhereforus.com
Subject: Race Street Project

Hi Jerry,

As a homeowner nearby, I am excited at the prospect of the proposed Race Street Project. I support the project as it is proposed and I encourage you to move forward full speed.

Thank you so much for your confidence in the future of this neighborhood.

All the best!

William Burch

1505 Sierra Ave

San Jose, CA 95126

408-679-1756

williamdburch@live.com

3/28/2013

Xavier, Lesley

From: secretary@berkeleyvedanta.org
Sent: Thursday, March 28, 2013 7:59 PM
To: leslie.xavier@sanjoseca.gov
Cc: society@berkeleyvedanta.org
Subject: File Number PDC11-005 District 6 - Formal objection to planned development

Dear Ms. Xavier,

Thank you for notifying us of the planned development in our neighborhood. I represent the Vedanta Society Berkeley, which owns the property located at 1736 Mariposa Avenue in San Jose.

We are formally objecting to the proposed rezoning and planned development between Race and Grand Avenue for the following reasons:

- a) The density of the development is too high. 70 residential units and 13,080 square feet of commercial space crams too many people and business activity on 2.3 acres. This type of density is way above other developments in the area and absurd in close proximity to the quiet neighborhood where our property is located.
- b) No mention is made of parking facilities. The lack of adequate parking will potentially dump 100 or more cars into our neighboring streets. For that size development, at least 120 parking spaces would be required to accommodate the residents, visitors, and the temporary parking for the commercial activity. We believe the lack of parking is highly detrimental to our property values and the quality of living in our neighborhood.
- c) Traffic congestion is already a problem on Race street and this development would make matters worse. Air pollution, noise, and loss of quality of life for the residents around Race St., as well as Grand Av. and Park Avenue would result. We doubt that a serious environmental impact study could possibly support such high density development in this part of the city.
- d) This seems to be an ad-hoc request by an overly ambitious developer. It does not fit any master plan that would improve the neighborhood. Thus the name "Planned Development" is a misnomer. It will bring Chaos to the neighborhood, negatively impact property values, and reduce the quality of life for all. We would instead like to see a development plan for the area with the exact opposite effects.

Please deny the re-zoning request as it is detrimental to the neighborhood and the city.

Yours truly,

Rodrigo Valencia
Secretary
Vedanta Society Berkeley

As established in ordinance _____, establishing a Planned Development Zoning District

PARK AVE.

GRAND AVE.

RACE STREET

1.0	TITLE SHEET	4.0A	PRELIMINARY STORM WATER CONTROL PLAN
2.0	LAND USE PLAN	4.0B	PRELIMINARY STORM WATER CONTROL DETAILS
2.0A	DEVELOPMENT STANDARDS	5.0	4th FLOOR PLAN
2.0B	PRELIMINARY SITE PLAN-1st FLOOR	6.0	PRELIMINARY ELEVATIONS
3.0	2nd FLOOR PLAN	7.0	PRELIMINARY LANDSCAPE LAYOUT
3.1	3rd FLOOR PLAN		
4.0	PRELIMINARY GRADING AND DRAINAGE PLAN		
4.1	PRELIMINARY GRADING DETAILS		

ASSESSOR'S PARCEL NUMBER	PROJECT ADDRESS:
261-42-069-00 261-42-070-00	253 RACE STREET
261-42-058-00 261-42-011-00	EXISTING ZONING DESIGNATION: COMMERCIAL PED.
261-42-072-00 261-42-008-00	PROPOSED A (PD)
261-42-007-00 261-42-079-00	ZONING DESIGNATION
261-42-071-00	EXISTING GENERAL PLAN DESIGNATION
PRIOR APPROVALS GP01-06-06, C08-023	MIXED USE OVERLAY-NUD
GROSS SITE AREA +/- 2.3 AC	NET SITE AREA +/- 2.3 AC
PROPOSED USE	70 MULTI-FAMILY RESIDENTIAL DU'S W/PRIVATE CIRCULATION & OPEN SPACE
PROPOSED SITE COVERAGE	STRUCTURES: +/- 76,677 sf (88%)
PROPOSED DENSITY	LANDSCAPE/OPEN SPACE: +/- 10,448 sf (12%)
REQUIRED PARKING ANALYSIS:	30.0 DU/ACRE
TOTAL PARKING REQUIRED = 19.3 + 50.7 + 129.4 = 199.4 CARS	<u>COMMERCIAL:</u>
	RETAIL:
	4,542 SF GROSS
	3,861 SF NET
	PARKING REQ. = 3,861 x 5/1,000 = 19.3 CARS
PROPOSED PARKING PROVIDED:	RESTAURANT:
	2,028 SF OR 126 SEATS
	PARKING REQ. = 2,028 SF/ 40 SF = 50.7 CARS

DEVELOPER/OWNER	CONTACT
RACE STREET INVESTMENTS PO BOX 28385 SAN JOSE CA. 95159	JERRY STRANGIS EMAIL: STRANGIS@AOL.COM 3546 STEVAL PLACE, SAN JOSE CA. 95136
ARCHITECT	LAND DEVELOPMENT DESIGN TEAM
LPMD ARCHITECTS OFFICE: (408) 992.0280 1288 KIFER ROAD, SUITE 206 SUNNYVALE CA.	VER CONSULTANTS OFFICE: (408) 834-7889 1625 THE ALAMEDA, SUITE 406 SAN JOSE CA. 95126

LPMD
Architects
1288 Kifer Road, Unit 206
Sunnyvale, CA 94086
Telephone : 408-992-0280
Fax : 408-992-0281

LEGEND

LAND USE AREAS

PROPOSED RESIDENTIAL/
COMMERCIAL
BUILDING



AREA (SF)

90,141

AREA (AC)

2.1

PROPOSED LANDSCAPE
AREA (INCLUDES WALKWAYS)



10,448

0.2

TOTAL AREAS(SF)

100,589

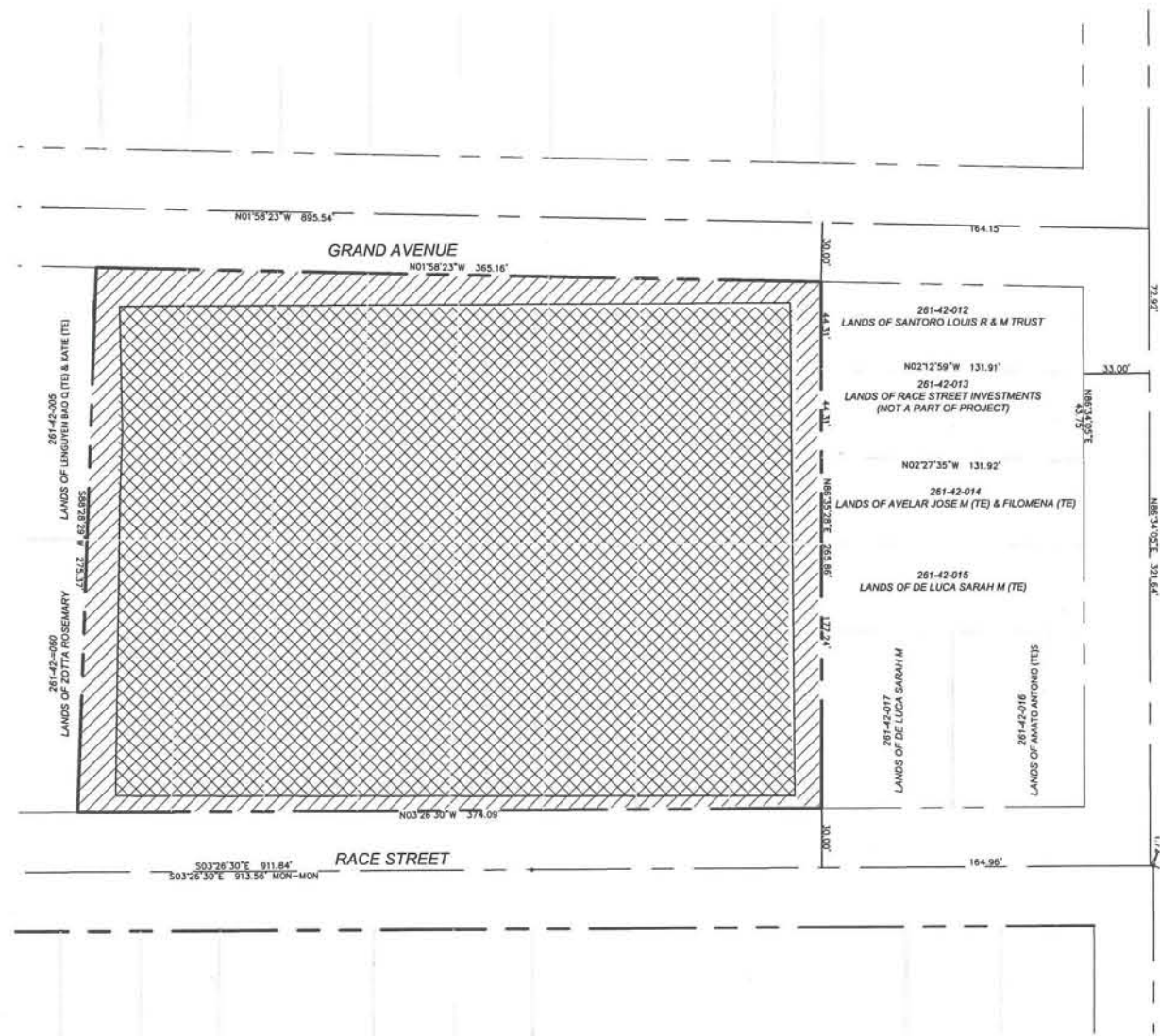
2.3 (Gross)
2.3 (Net)

PLANNED DEVELOPMENT ZONING PDC11-005
DEVELOPMENT STANDARDS:

1.

PLANNED DEVELOPMENT ZONING PDC11-005
ENVIRONMENTAL MITIGATIONS

1.



RACE STREET
INVESTMENT LLC

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1" = 10'

PLANNED DEVELOPMENT APPLICATION
RACE STREET TERRACE

Race Street
SAN JOSE - CALIFORNIA

PDC11-005

Date: 9/14/2012

Scale:

Revisions:

Feb7, 2013

APR 2, 2013

Drawing Title:

LAND USE PLAN

Sheet No:

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PLANNED DEVELOPMENT ZONING PDC11-____
DEVELOPMENT STANDARDS:

PLANNED DEVELOPMENT ZONING PDC11-____
ENVIRONMENTAL MITIGATIONS

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DEVELOPMENT STANDARDS
PLANNED DEVELOPMENT APPLICATION
RACE STREET TERRACE
Race Street
SAN JOSE - CALIFORNIA

PDC11-005

Date: 9/14/2012
Scale: NO SCALE

Revisions:
Feb 7, 2013
APR 2, 2013

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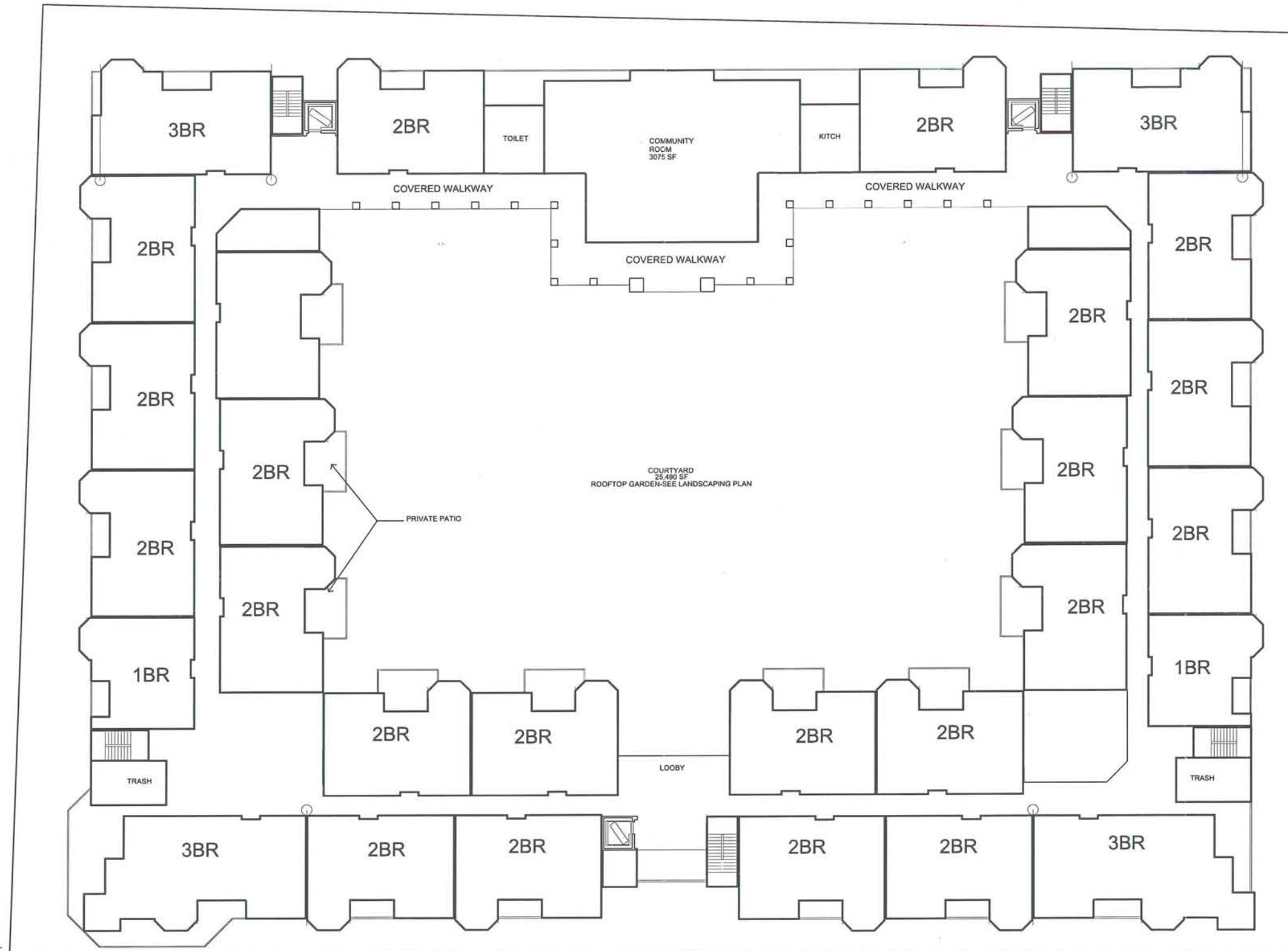
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FLOOR 2
SCALE : 1/16" = 1'-0"



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PD ZONING APPLICATION RACE STREET TERRACE

Race Street
SAN JOSE - CALIFORNIA

Date: 12-3-2010
Scale: 1/16" = 1'-0"

Revisions:
3-31-2013 PLANNING

Drawing Title:
FLOOR 2

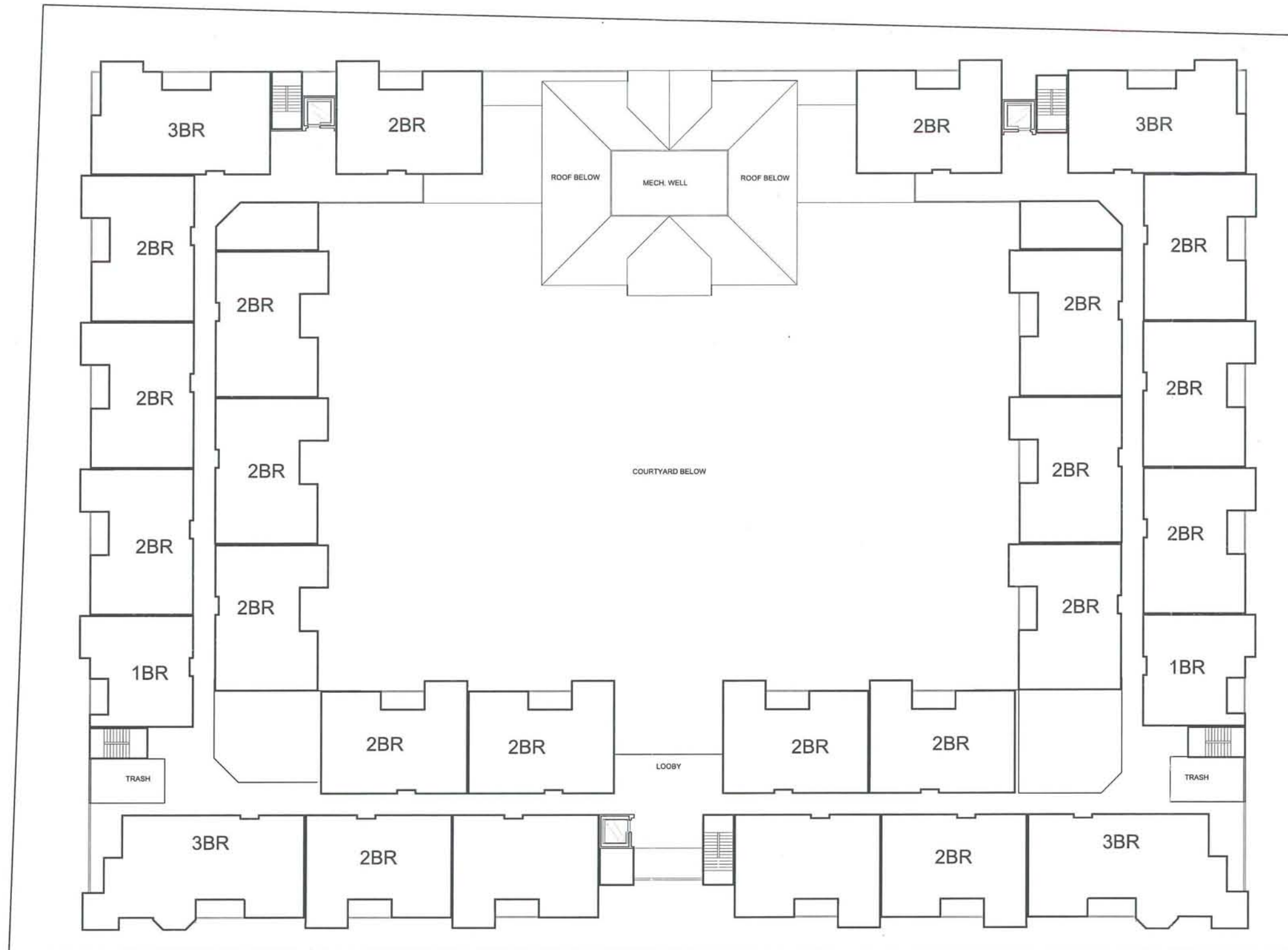
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FLOOR 3
SCALE : 1/16" = 1'-0"



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PD ZONING APPLICATION RACE STREET TERRACE

Race Street
SAN JOSE - CALIFORNIA

Date: 12-3-2010
Scale: 1/16" = 1'-0"

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3-31-2013 PLANNING

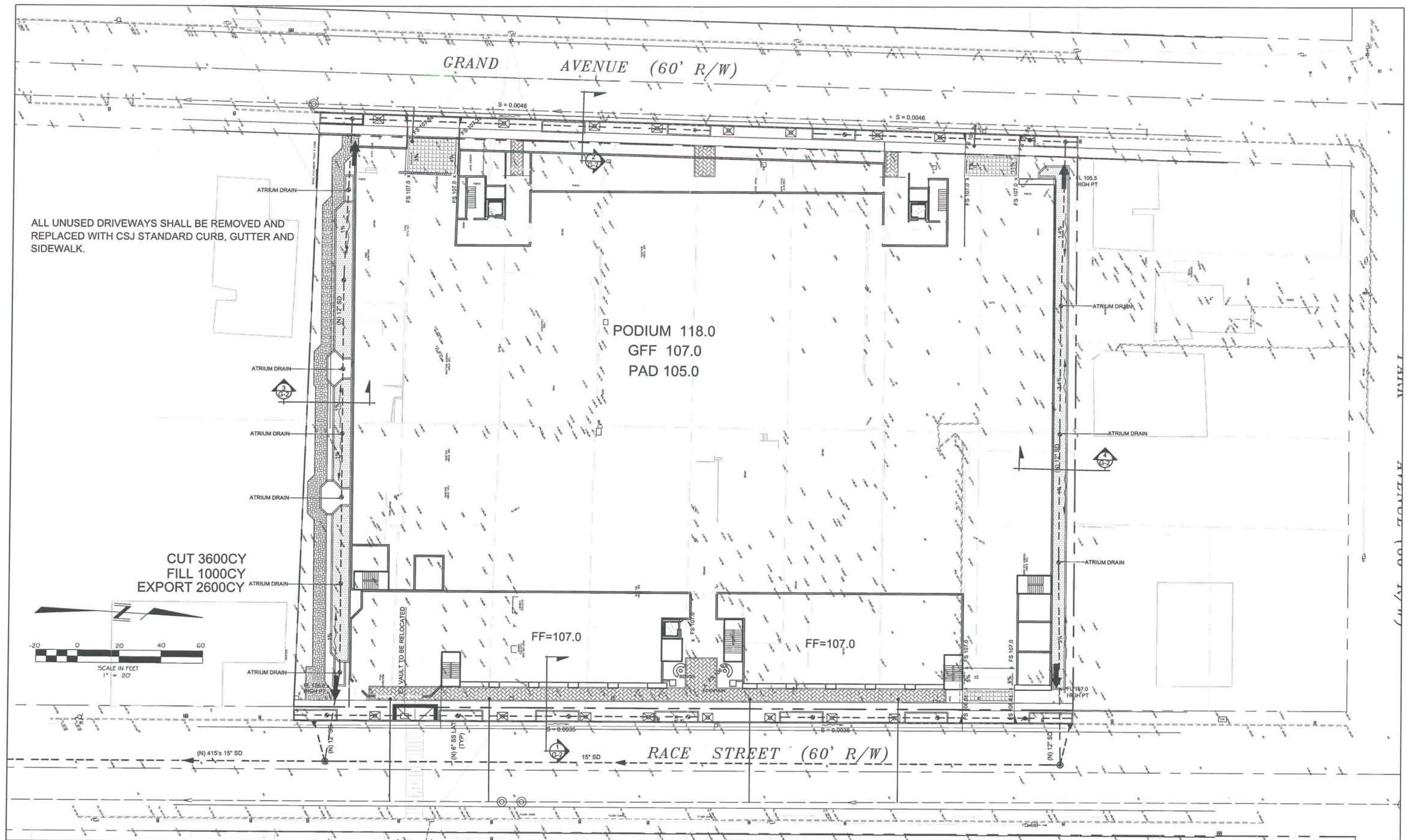
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FLOOR 3

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PRELIMINARY GRADING AND DRAINAGE PLAN
PLANNED DEVELOPMENT APPLICATION
RACE STREET TERRACE

Race Street
SAN JOSE - CALIFORNIA

PDC11-005

Date: 9/14/2012
Scale: 1" = 20'

Revisions:
Feb 7, 2013
APR 2, 2013

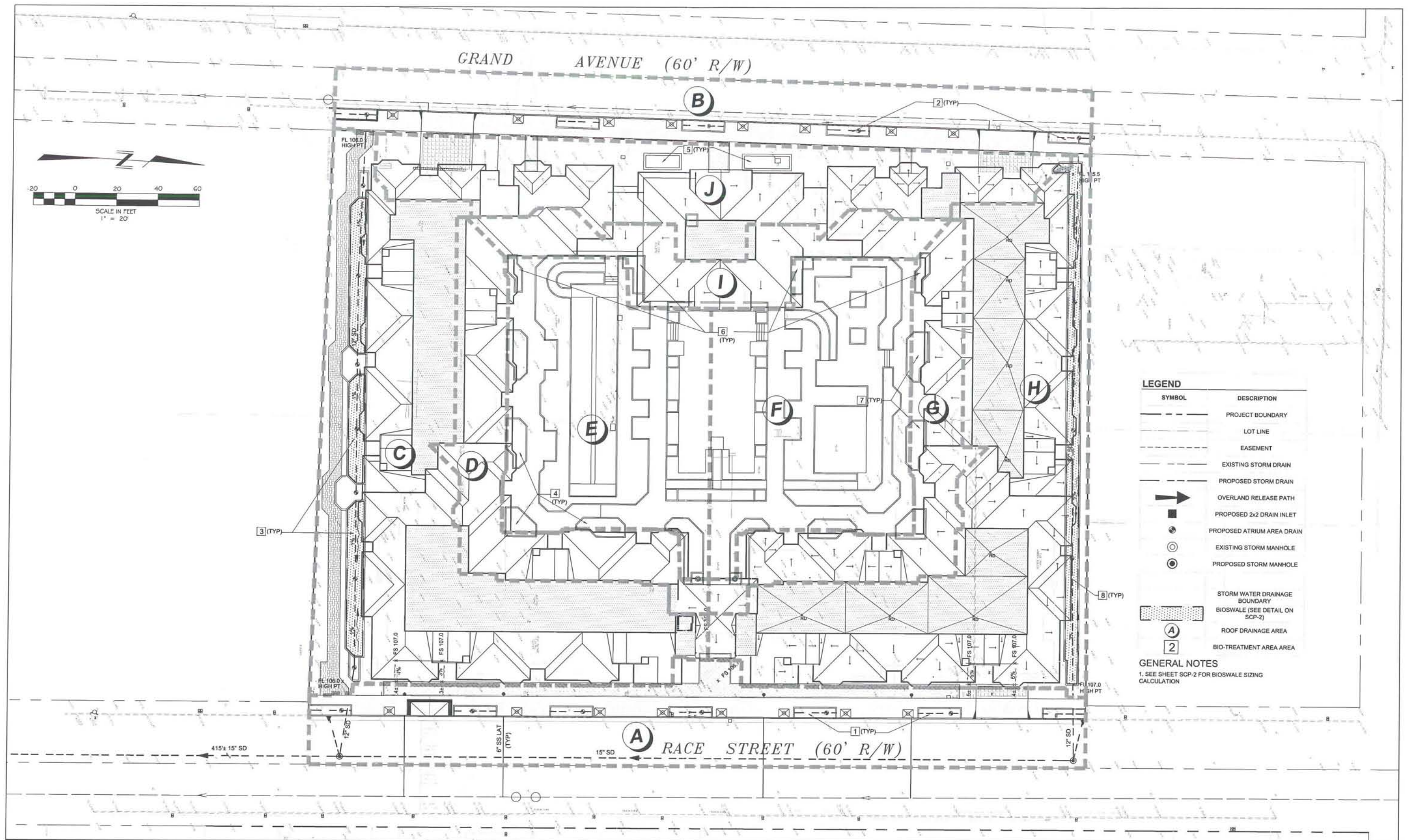
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PRELIMINARY
GRADING PLAN

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PRELIMINARY STORMWATER CONTROL PLAN
PLANNED DEVELOPMENT APPLICATION
RACE STREET TERRACE

Race Street
SAN JOSE - CALIFORNIA

PDC11-005

Date: 9/14/2012
Scale: 1" = 20'

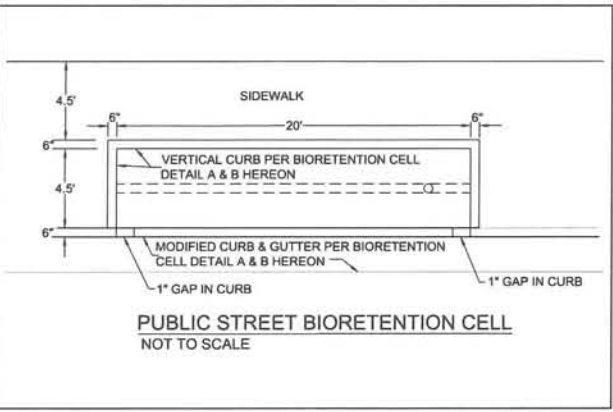
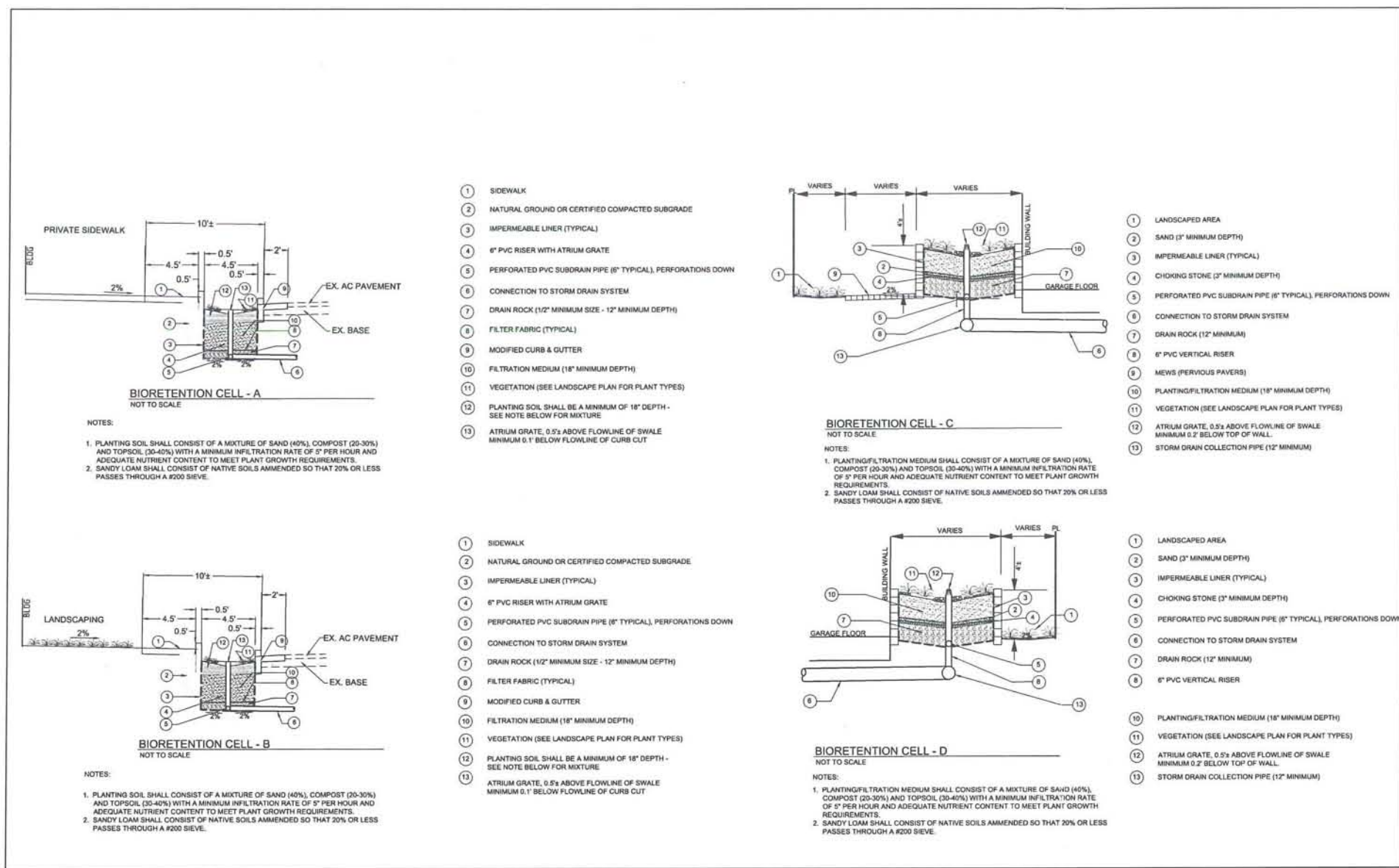
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QUALITY PLAN
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PRELIMINARY STORMWATER CONTROL DETAILS PLANNED DEVELOPMENT APPLICATION RACE STREET TERRACE Race Street SAN JOSE - CALIFORNIA

PERVIOUS AND IMPERVIOUS SURFACES COMPARISON TABLE			
Project Phase Number: (N/A, 1, 2, 3, etc.)			
Total Site (acres):	2.81	Total Area of Site Disturbed (acres):	2.50
Impervious Surfaces	Existing Condition of Site Area Disturbed (square feet)	Proposed Condition of Site Area Disturbed (square feet)	
		Replaced ¹	New ²
Roof Area(s)	45,924	41,940	21,049
Parking	31,960	20,654	0
Sidewalks, Patios, Paths, etc.	2,870	1,000	3,571
Streets (public)	22,178	8,871	0
Streets (private)	0	0	0
Total Impervious Surfaces:	102,932	72,465	24620
Pervious Surfaces			
Landscaped Areas	19,250	4,500	4,562
Pervious Paving	0	0	2,728
Other Pervious Surfaces (green roof, etc.)	0	0	0
Total Pervious Surfaces:	19,250	4,500	7290
Total Proposed Replaced + New Impervious Surfaces:			97085
Total Proposed Replaced + New Pervious Surfaces:			11790

Regulated Project: Any project that creates new and/or replaces (individually or collectively) 10,000 square feet or more of impervious surface area. Additional data verifying the percent replacement of impervious surface area may be requested for any Regulated Project that appears to be subject to Provisions C.3.b.i.(1)(c) or C.3.b.i.(1)(d) (commonly known as "the 50% Rule").

Footnotes:

¹Proposed Replaced Impervious Surface: All impervious surfaces added to any area of the site that was a previously existing impervious surface.

²Proposed New Impervious Surface: All impervious surfaces added to any area of the site that was a previously existing pervious surface.

BIO-RETENTION AREA CALCULATIONS				
AREA NO	TOTAL DRAINAGE AREA	TREATMENT AREA REQUIRED	TREATMENT AREA NUMBER	TREATMENT AREA PROVIDED
		(DRAINAGE AREA X 0.04)		
A	14,600	584	1	630
B	10,750	430	2	450
C	18,100	724	3	1500*
D	8,700	348	4	672
E	13,800	552	3	1500*
F	12,100	484	8	1500*
G	8,700	348	7	672
H	18,132	725	8	1500*
I	5,200	208	6	220
J	12,100	484	5	450

* AREAS C AND E BOTH DRAIN TO TREATMENT AREA 3 AND AREAS F AND H BOTH DRAIN TO TREATMENT AREA 8.

MAINTENANCE PROCEDURES

BIO-RETENTION AREAS FUNCTION AS SOIL AND PLANT BASED FILTRATION DEVICES THAT REMOVE POLLUTANTS THROUGH A VARIETY OF BIOLOGICAL, CHEMICAL AND PHYSICAL TREATMENT PROCESSES. PERCOLATION OF STORED WATER IN THE BIO-TREATMENT AREAS PLANTING SOIL WILL ENTER THE SUB DRAINS SO THAT THE BIO-TREATMENT AREAS EMPTY OVER A PERIOD NOT TO EXCEED TWO DAYS.

ROUTINE MAINTENANCE CONSISTS OF THE FOLLOWING:

1. REMOVE OBSTRUCTIONS, DEBRIS AND TRASH FROM THE BIO-TREATMENT AREAS AND DISPOSE OF PROPERLY.
2. INSPECT BIO-TREATMENT AREAS TO INSURE THAT THEY DRAIN COMPLETELY BETWEEN STORMS.
3. INSPECT INLETS FOR CHANNELS, SOIL INFILTRATION OR OTHER EVIDENCE OF EROSION. CLEAR OBSTRUCTIONS AND REMOVE SEDIMENTS AND DISPOSE OF PROPERLY.
4. REMOVE AND REPLACE DEAD OR DISEASED VEGETATION.
5. MAINTAIN VEGETATION AND IRRIGATION SYSTEMS. PRUNE AND WEED BIO-TREATMENT AREAS TO KEEP THEM NEAT AND ORDERLY IN APPEARANCE.
6. MINIMIZE THE USE OF CHEMICALS AND NON-ORGANIC FERTILIZERS.

SITE CONDITIONS	
SOIL TYPE	Silty Loam (B)
DEPTH TO GROUNDWATER	20 - 30 Feet
100 YEAR FLOOD ELEV	Zone D - Areas in which flood hazards are undetermined, but possible
RECEIVING WATER BODY	Los Gatos Creek
POLLUTANTS	Sediment, Grease, Oil, Heavy Metals, Hydrocarbons, Trash, Nutrients, Pesticides, Bacteria
POLLUTANT SOURCE AREAS	Roofs, Roadways, Parking, Truck Dock, Landscaping
SOURCE CONTROL MEASURES	Sweeping Roadway, Truck Dock & Parking Areas, Landscape Maintenance, Irrigation Controls

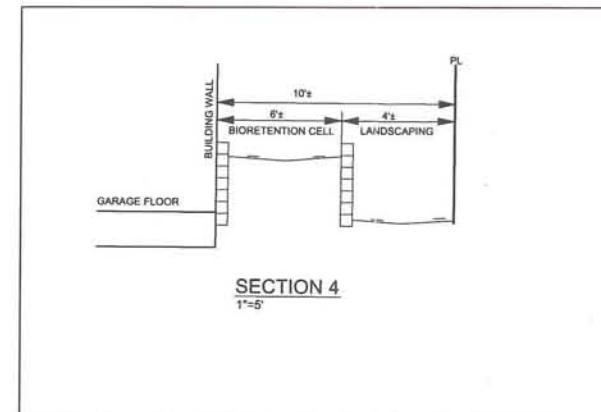
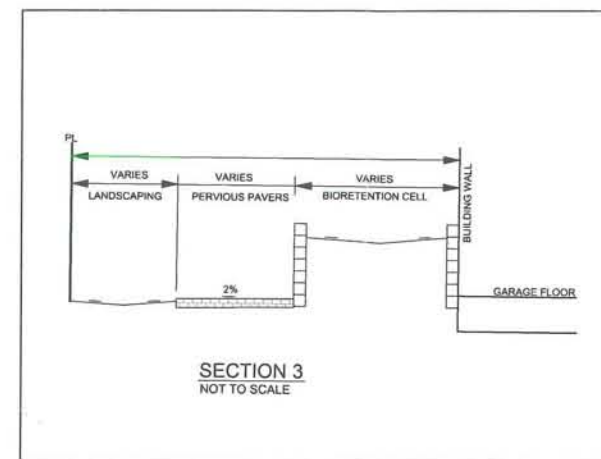
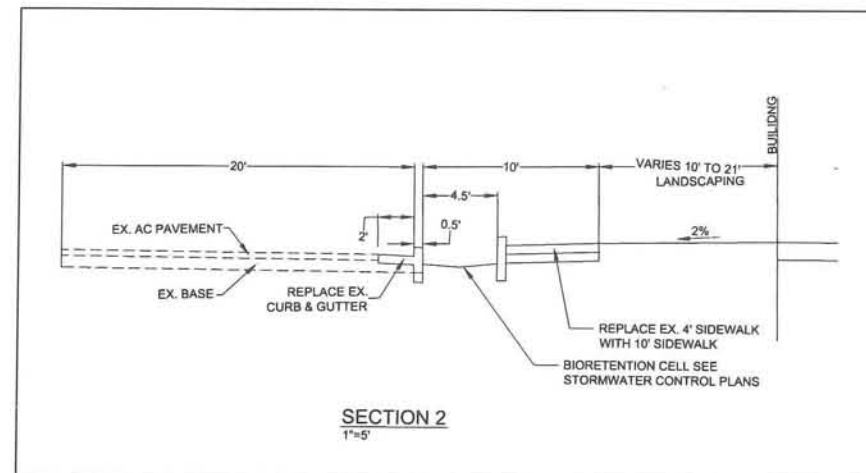
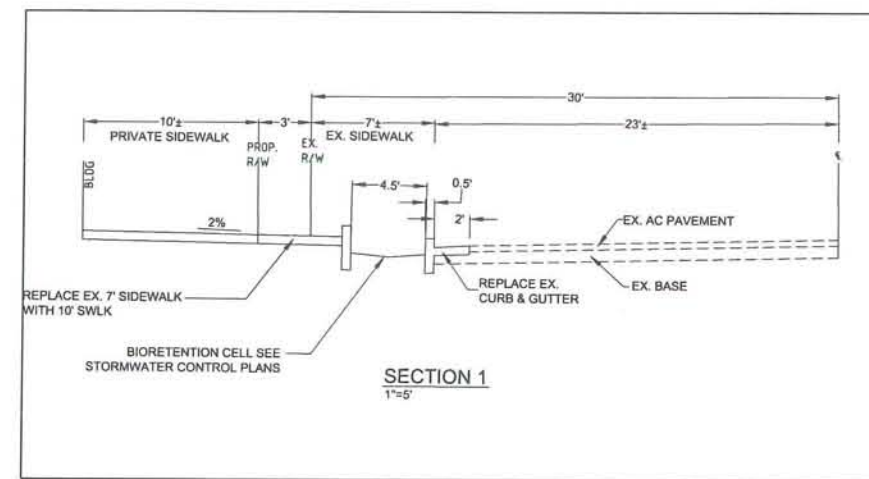
Soil type and depth to groundwater are taken from the Santa Clara Valley Urban Runoff Pollution Prevention Program C.3 Stormwater Handbook. The 100 year flood elevation was taken from the FEMA website.

Date: 9/14/2012
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APR 2, 2013

Drawing Title:
PRELIMINARY STORMWATER QUALITY PLAN
Sheet No:
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PLANNED DEVELOPMENT APPLICATION
RACE STREET TERRACE

Race Street
SAN JOSE - CALIFORNIA

PDC11-005

Date: 9/14/2012
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Feb 7, 2013
APR 2, 2013

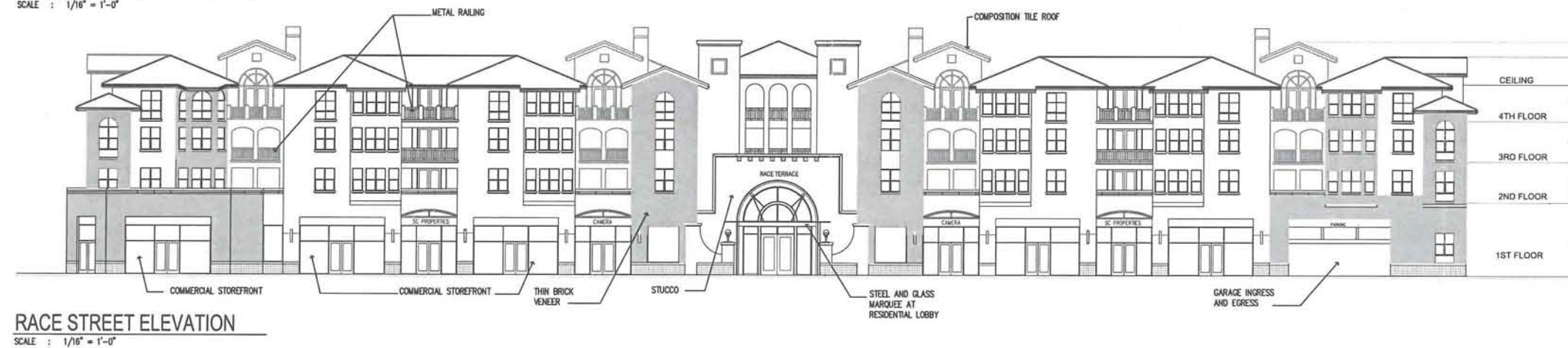
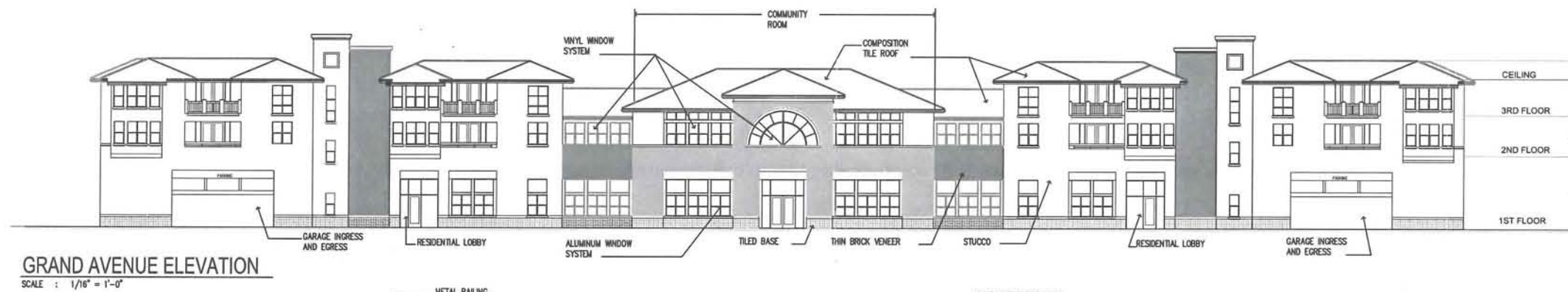
Drawing Title:
PRELIMINARY
GRADING PLAN

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PD ZONING APPLICATION RACE STREET TERRACE

Race Street
SAN JOSE - CALIFORNIA

Date: 2-4-2011
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3-31-2013 PLANNING

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ELEVATIONS

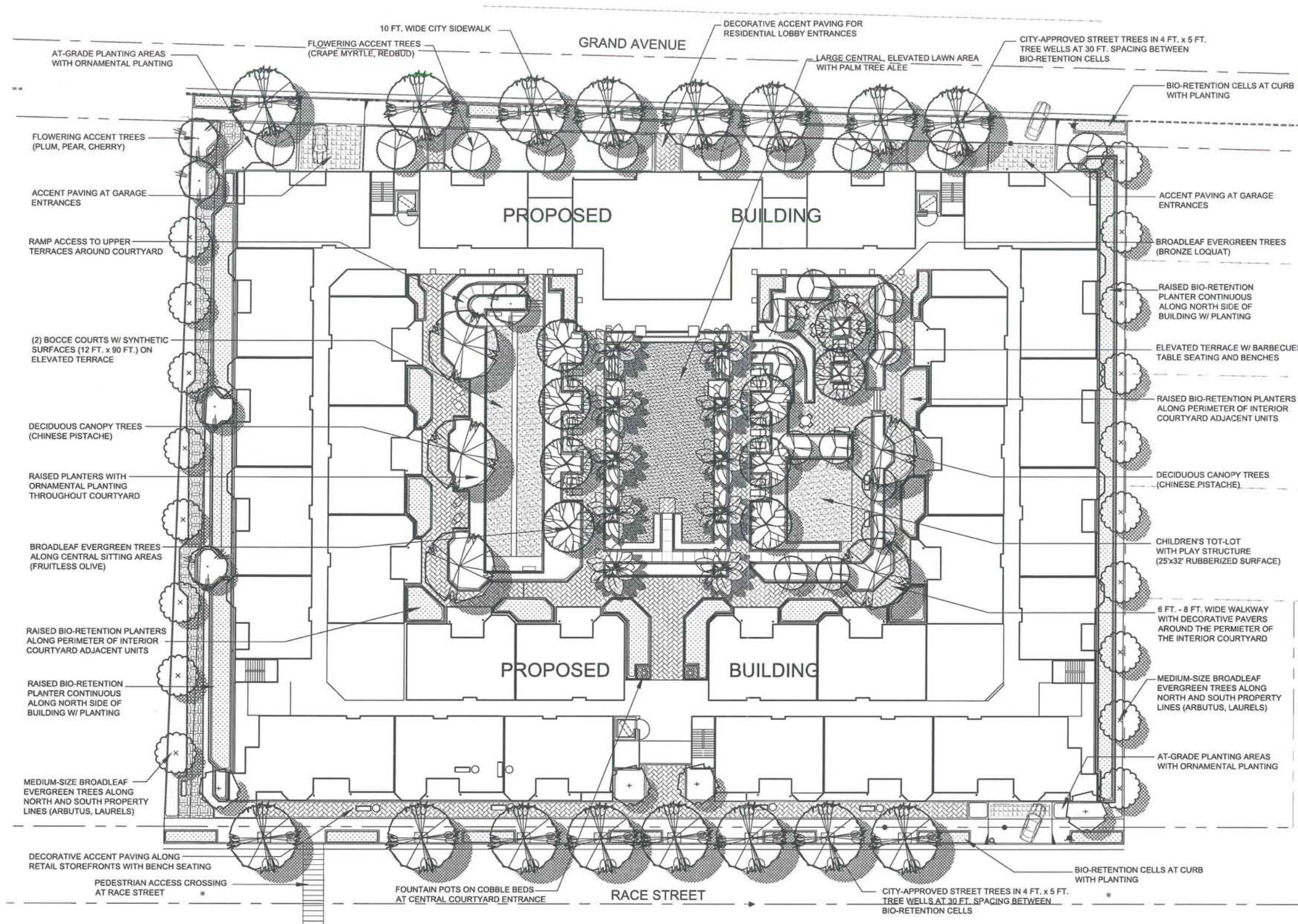
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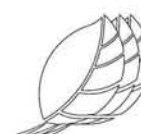
Bocce Ball Courts



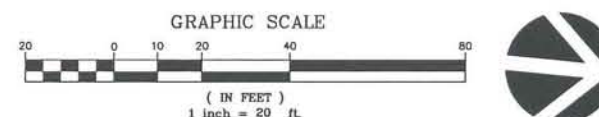
Children's Tot Lot with Play Structure



Seating and Dining area with Tables



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Landscape Architects
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Walnut Creek, CA 94596
Ph: 925.933.2583



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PLANNED DEVELOPMENT APPLICATION RACE STREET TERRACE

Race Street
SAN JOSE - CALIFORNIA

PDC11-005

Date: April 2, 2013

Scale:

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Drawing Title:

PD ZONING
LANDSCAPE PLAN

Sheet No:

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